

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

Civil Action No. 2:11-cv-512

AOL, INC., *et al.*,

Defendants.

**DEFENDANTS' RENEWED MOTION TO COMPEL DEPOSITION OF DR. BECKER
AND FOR ENLARGEMENT OF TIME TO OPPOSE PLAINTIFF'S MOTION FOR
POST-JUDGMENT ROYALTIES**

Defendants Google Inc., Target Corporation, IAC Search & Media, Inc., Gannett Co. Inc., and AOL Inc. (collectively, "Defendants") respectfully move this Court for an Order directing Plaintiff to make Dr. Stephen Becker available to Defendants for deposition; Defendants further request the Court to order that the deadline for Defendants' opposition to Plaintiff's Motion for an Award of Post-Judgment Royalties be extended until at least seven days after Plaintiff makes Dr. Becker available for deposition, or May 2, 2013, whichever date is later. In the alternative, Defendants request that the Court order that the deadline for Defendants' opposition to Plaintiff's Motion for an Award of Post-Judgment Royalties be extended by a minimum of two weeks, until May 2, 2013. The grounds and authorities in support of this Motion are set forth in Defendants' Memorandum in Support of Defendants' Renewed Motion to Compel Deposition of Dr. Becker and for Enlargement of Time to Oppose Plaintiff's Motion for

Post-Judgment Royalties, and the Declaration of David A. Perlson, with exhibits, filed in connection with this Motion. A proposed order is attached hereto as **Exhibit A**.

Pursuant to Local Rule 37(E), counsel have attempted in good faith to resolve the foregoing dispute.

DATED: April 16, 2013

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624.3000
Facsimile: (757) 624.3169
senoona@kaufcan.com

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnmanuel.com
davidperlson@quinnmanuel.com

*Counsel for Google Inc., Target Corporation, IAC
Search & Media, Inc., and Gannett Co., Inc.*

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169

Robert L. Burns
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190

Telephone: (571) 203-2700
Facsimile: (202) 408-4400

Cortney S. Alexander
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111
Telephone: (404) 653-6400
Facsimile: (415) 653-6444

Counsel for Defendant AOL, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on April 16, 2013, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Donald C. Schultz
W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Counsel for Plaintiff, I/P Engine, Inc.

/s/ Stephen E. Noona
Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624.3000
Facsimile: (757) 624.3169
senoona@kaufcan.com